



WP No.6680 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.6680 of 2023

R.Baskaran

... Petitioner

Vs

1.The Principal Secretary to Government
Revenue and Disaster Management Department
Fort St. George, Chennai.

2.The Chairman
Tamil Nadu Housing Board
CMDA Building,
Koyambedu, Chennai.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider petitioner's representation dated 20.04.2022 and thereby take appropriate and effective steps to remove the encroachments and take possession of the property being about 12250 sq.mts in S.Nos. 316/6E1, 316/6D2, 316/6B2, 316/F and 316/612 Velachery Village belonging to the Tamil Nadu Housing Board.



WP No.6680 of 2023

For the Petitioner : Mr.R.Revathy
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for the first respondent
Mr.D.Veerasekaran,
Standing Counsel,
for Tamil Nadu Housing Board
for the second respondent

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition styled as a 'public interest litigation', seeking a Writ of Mandamus directing the respondents to consider petitioner's representation dated 20.04.2022 and take appropriate steps to remove the encroachments and take possession of the property, measuring about 12250 sq.mts in S.Nos. 316/6E1, 316/6D2, 316/6B2, 316/F and 316/612, Velachery Village, belonging to the Tamil Nadu Housing Board.

2. According to the petitioner, lands in S.Nos.316/6E1, 316/6D2, 316/6B2, 316/F and 316/612, Velachery Village, were acquired by the Special Commissioner, Urban Land Ceiling and Regularization and the



WP No.6680 of 2023

land was allotted to the Tamil Nadu Housing Board, under G.O.Ms.No.773, dated 25.05.1985. While so, an extent of about 203 sq.m. was allotted to MRTS by the first respondent. Meanwhile, the Government Film and TV Employees Welfare Association requested the Government to allot land to an extent of 6200 sq.m., to its members, vide representation dated 01.03.2006. Alleging that the Special Commissioner had recommended for the cancellation of allotment in favour of the Board and re-allotment in favour of the association, the Government had rejected the proposal vide G.O.Ms.No.549, dated 31.12.2013. Challenging the said Government Order, the Association had filed WP No.919 of 2014. Vide order dated 19.08.2014, this Court allowed the writ petition for the reason that neither the Revenue Department nor the Board had utilized the land for more than 25 years. An appeal was preferred in WA No.967 of 2016 and vide order dated 28.04.2016, this Court directed the Association to make a representation to the Board and the Board was directed to take a decision thereafter. The matter has been kept under cold storage since then. The petitioner made a representation dated 20.04.2022 to the first respondent; however, no order has been passed thereupon. Hence, this writ petition has been filed.



WP No.6680 of 2023

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3. Mr.P.Muthukumar, learned State Government Pleader submits that the representation of the petitioner would be considered and orders would be passed by the second respondent as early as possible.

4. Recording the said submission of learned State Government Pleader, the writ petition is disposed of directing the second respondent to consider the representation of the petitioner dated 20.04.2022 and pass orders on merits and as per law, as early as possible, and in any case, not later than three months from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, WMP No.6739 of 2023 is closed.

(T.R., ACJ.) (D.B.C., J.)
07.03.2023

Index : Yes/No
Neutral Citation : Yes/No
tar



WP No.6680 of 2023

To

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WP No.6680 of 2023

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and
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WP No.6680 of 2023

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